

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 14-25 are pending in the application, with claims 14, 19, 21, and 24 being the independent claims. Claims 19 and 24 are sought to be amended. Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections Under 35 U.S.C. § 102

The Office Action rejected claims 14-16 and 21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,825,239 to Adal (hereinafter "Adal"). (*See*, Office Action at ¶ 2.) Applicants traverse these rejections.

Regarding claims 14-16, independent claim 14 recites, *inter alia*, "identifying, in the array of comparators, the comparator in the metastable condition". The Office Action contends that Figure 6 of Adal discloses "a method for increasing a rate at which a comparator (200) in a metastable condition transitions to a steady state[.]" (Office Action at ¶ 2.) However, element 200 at Figure 6 of Adal is not a comparator, but rather is a variable gain amplifier: "FIG. 6 illustrates a block diagram of an embodiment of the present invention. . . . The output of the two capacitors **205** and **206** is input to variable gain amplifier **200**." (Adal at col. 4, lines 1-6.) Therefore, claim 14 is not anticipated by Adal. Claims 15 and 16 also are not anticipated by Adal because they depend from claim 14 and because of their additional distinctive features. Accordingly, Applicants

respectfully request that the Examiner reconsider and remove his rejections of claims 14-16 under U.S.C. § 102(b).

Regarding claim 21, it recites, *inter alia*, "providing a bias current to the third comparator based on said compared first and second outputs". The Office Action contends that Figure 6 of Adal "discloses an array of comparators that includes a first (250), a second (260), and a third comparator (200)[.]" (Office Action at ¶ 2.) However, as explained above, element 200 at Figure 6 of Adal is not a comparator, but rather is a variable gain amplifier. Therefore, claim 21 is not anticipated by Adal. Accordingly, Applicants respectfully request that the Examiner reconsider and remove his rejection of claim 21 under U.S.C. § 102(b).

Rejections Under 35 U.S.C. § 103

Claims 17, 18, 22, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Adal in view of U.S. Patent No. 4,092,955 to Reddy (hereinafter "Reddy"). (*See*, Office Action at ¶ 4.) Applicants traverse these rejections.

Regarding claims 17 and 18, these depend indirectly from independent claim 14. As stated above, Adal does not disclose, teach, or suggest "a comparator in a metastable condition" as recited in independent claim 14. Reddy does not overcome this shortcoming. Therefore, claims 17 and 18 are patentable over Adal in view of Reddy and are further patentable in view of their additional distinctive features. Accordingly, Applicants respectfully request that the Examiner reconsider and remove his rejections of claims 17 and 18 under U.S.C. § 103(a).

Regarding claims 22 and 23, these depend directly or indirectly from independent claim 21. As stated above, Adal does not disclose, teach, or suggest "an array of comparators that includes a first, a second, and a third comparator" as recited in independent claim 21. Reddy does not overcome this shortcoming. Therefore, claims 22 and 23 are patentable over Adal in view of Reddy. Accordingly, Applicants respectfully request that the Examiner reconsider and remove his rejections of claims 22 and 23 under U.S.C. § 103(a).

Allowable Subject Matter

The Office Action objected to claims 19, 20, 24, and 25 "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." (Office Action at ¶ 5.) Accordingly, Applicants have amended claim 19 to include the features of claims 14, 16, and 17, and have amended claim 24 to include the features of claim 21. Claims 20 and 25 remain dependent, respectively, from amended claims 19 and 24. Therefore, Applicants respectfully request that the Examiner reconsider and remove his objections to claims 19, 20, 24, and 25, and that these claims be passed to allowance.

Conclusion

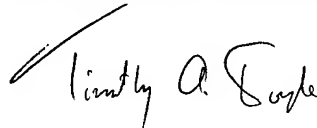
All of the stated grounds of objection and rejection have been properly traversed or accommodated. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be

withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Timothy A. Doyle". The signature is written in a cursive, flowing style.

Timothy A. Doyle
Attorney for Applicants
Registration No. 51,262

Date: 5 OCT 05

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600